

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-3, 9, 37, 38, 41, 46-48, 55, 56, 58, 59, 61 and 63 are currently being amended.

Claims 14 and 45 are requested to be canceled without prejudice or disclaimer.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4, 9, 13, 37-44, 46-48 and 55-63 remain pending in this application.

Rejection under 35 U.S.C § 103

Claims 1-4, 9, 13, 14, 37-48 and 55-63 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over XP-002223634 (hereinafter “XP Reference”) in view of U.S. Patent No. 7,493,084 to Meier et al. (hereinafter “Meier”). As to canceled claims 14 and 45, the rejection is moot. As to pending claims 1-4, 9, 13, 37-44, 46-48 and 55-63, Applicant respectfully traverses this rejection for at least the following reasons.

As acknowledged by the Examiner, the XP Reference fails to teach or suggest sending, by said terminal, a service indication via said terminal connection to the data network; receiving, at said network controlling device a confirmation of authorized service activation from a subscriber control element and establishing, by said network controlling device, an association between said service context and said terminal connection based on a network response to said service indication.” Office Action dated August 2, 2010, page 3. Instead the Examiner cites Meier as allegedly disclosing this feature. Applicant respectfully disagrees with the Examiner’s interpretation of the disclosure of Meier as applied to the pending claims.

As previously noted by Applicant, embodiments of the present invention relate to linking a service context to a terminal connection in a network controlling device of a data network. As noted in the abstract of the disclosure, in accordance with embodiments of the present invention, network resources can be optimized. In this regard, rather than a terminal device informing the GGSN of its interest for a service, the terminal device is informed of the service provision by the data network through a service notification. Further, in accordance with embodiments of the present invention, an authorized service activation is received by a network control device from a subscriber control element (e.g., SGSN or GGSN). Further, an association between the service context and the terminal connection may be established by the network control device based upon a network response to a service indication.

As described in the specification, embodiments of the present invention relate to a multimedia broadcast/multicast service context. Applicant has amended the pending claims to more clearly recite this feature. For example, claim 1 now

1. (Currently Amended) A method, comprising:
broadcasting a multimedia broadcast/multicast service notification by a data network as a result of a network-initiated creation of a multimedia broadcast/multicast service context;
receiving, at a terminal, said multimedia broadcast/multicast service notification from said data network;
setting up a terminal connection between said terminal and a network controlling device in response to the receipt of said multimedia broadcast/multicast service notification at said terminal;
sending, by said terminal, a multimedia broadcast/multicast service indication via said terminal connection to the data network;
receiving, at said network controlling device a confirmation of authorized service activation from a subscriber control element;
and
establishing, by said network controlling device, an association between said multimedia broadcast/multicast service context and said terminal connection based on a network response to said multimedia broadcast/multicast service indication.

By contrast, Meier fails to teach or suggest any feature related to multimedia broadcast/multicast service. Meier discloses a method for associating a wireless station to either a home subnet or a virtual LAN. See e.g., Meier, Abstract; col. 2, lines 2-4; and col. 5,

lines 40-50. There is no teaching or suggestion in Meier that a terminal connection is associated with a multimedia broadcast/multicast service.

Further, embodiments of the present invention address a problem associated with inefficient use of resources. For example, as described in the originally filed specification, it is desirable to “release all faulty requested RRC connections as soon as possible and [to] decrease the possibility of a misuse of RAN resources by UEs.” Specification, paragraph [0011]. In this regard, embodiments of the present invention provide a context linking scheme.

By contrast, Meier relates to overcoming the limited scope and restricted mobility associated with assigning a virtual LAN identifier to an IEEE 802.11 station. See Meier, col. 1, lines 20-40. In this regard, Meier discloses avoiding RADIUS based VLAN assignment to provide improved mobility for the user devices. Thus, while embodiments of the present invention relate to enhancing efficiency and resource utilization, Meier relates providing flexible mobility for the user devices consuming a service.

Thus, since Meier fails to even contemplate the problems addressed by embodiments of the present invention, Meier fails to teach or suggest the features of the pending claims. Therefore, Meier fails to cure the acknowledged deficiency of the XP Reference.

Since the cited references, either alone or in combination, fail to teach or suggest each feature of the pending claims, the claims are not *prima facie* obvious. Therefore, independent claims 1, 37, 55 and 63 are patentable. As to claims 2-4, 9, 13, 38-44, 46-48 and 56-62, these claims each depend from one of allowable claims 1, 37 or 55 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-5302. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-5302. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-5302.

Respectfully submitted,

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